

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.071, F.S.; exempting from public records
 4 requirements information furnished to an agency by a
 5 person or business for the purpose of obtaining
 6 assistance with emergency planning or emergency
 7 notification; providing a statement of public
 8 necessity; providing an effective date.
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10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Paragraph (j) of subsection (5) of section
 13 119.071, Florida Statutes, is amended to read:

14 119.071 General exemptions from inspection or copying of
 15 public records.—

16 (5) OTHER PERSONAL INFORMATION.—

17 (j)1. Any personal identifying information furnished by a
 18 person or business to an agency for the purpose of being
 19 provided assistance with emergency planning or ~~with~~ emergency
 20 notification by the agency, ~~including the person's name,~~
 21 ~~address, telephone number, e-mail address, or other electronic~~
 22 ~~communication address,~~ is exempt from s. 119.07(1) and s. 24(a),
 23 Art. I of the State Constitution. This exemption applies to
 24 information held by an agency before, on, or after the effective
 25 date of this exemption.

26 2. This paragraph is subject to the Open Government Sunset

27 Review Act in accordance with s. 119.15, and shall stand
28 repealed on October 2, 2016, unless reviewed and saved from
29 repeal through reenactment by the Legislature.

30 Section 2. The Legislature finds that it is a public
31 necessity that information relating to emergency planning be
32 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
33 Article I of the State Constitution. The Division of Emergency
34 Management manages a statewide public awareness program to
35 educate the public to be self-sufficient for up to 72 hours
36 following a natural or manmade disaster. The public education
37 campaign encourages individuals, families, and businesses to
38 develop disaster plans in preparation of and in response to such
39 natural or manmade disasters. Emergency plans may include
40 sensitive information such as alternate locations for families
41 to meet or business relocation in the event of building damage;
42 business contacts, including utility providers, suppliers, and
43 employees; backup suppliers for key materials and services
44 depended upon by the business; important records and documents
45 that the business needs to operate; and emergency community
46 contacts and disaster resources. The potential disclosure of
47 sensitive information has served as a disincentive for creating
48 a disaster plan, particularly among businesses who fear that the
49 disclosure of sensitive information may place their businesses
50 at a competitive disadvantage. The Legislature therefore finds
51 that the harm that may result from the release of information
52 used as part of emergency planning for the preparation of and in

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53 | response to a natural or manmade disaster outweighs any public
54 | benefit that may be derived from disclosure of the information.

55 | Section 3. This act shall take effect July 1, 2014.